

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Alexander EPPLE, et al.

Appln. No.: 10/772,310

Confirmation No.: 7421

Filed: February 06, 2004

For: CATADIOPTIC REDUCTION LENS



Docket No: Q79380

Group Art Unit: 2873

Examiner: Deborah RAIZEN

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned, on behalf of the petitioner, CARL ZEISS SMT AG, represents that the petitioner, CARL ZEISS SMT AG is the owner of the entire right, title and interest of U.S.

Application No. 10/152,290, filed on May 22, 2002 for CATADIOPTIC REDUCTION LENS by virtue of an Assignment from all of the inventors thereof executed on June 3, 2002 and July 3, 2002, respectively, recorded on August 20, 2002 at Reel 013208, Frame 0766, now issued as U.S. Patent 6,717,746 as well as the entire right, title and interest in the above-captioned U.S. Application No. 10/772,310 by virtue of an Assignment from all of the inventors thereof executed on June 3, 2002 and July 3, 2002, respectively, recorded on August 20, 2002, at Reel 013208, Frame 0766, filed in parent application Serial No. 10/152,290 (now U.S. Patent No. 6,717,746).

**Terminal Disclaimer**  
**U.S. Patent Application Ser. No.: 10/772,310**

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 10/772,310 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,717,746, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 10/772,310 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,717,746 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 10/772,310, this agreement to run with any patent granted on the above-captioned U.S. Application No. 10/772,310 and to be binding upon the grantee, its successors or assigns.

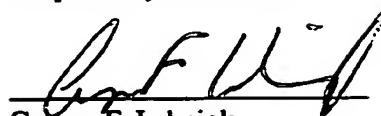
Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 10/772,310 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,717,746 in the event that U.S. Patent 6,717,746 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Terminal Disclaimer

U.S. Patent Application Ser. No.: 10/772,310

The undersigned is an attorney of record.

Respectfully submitted,



George F. Lehnigk  
Registration No. 36,359

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: January 10, 2005